

12/28/01  
JC996 U.S. PTO

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PTO/SB/05 (11-00)

Approved for use through 10/31/2002. OMB 0651-0032

Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE

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**UTILITY PATENT APPLICATION TRANSMITTAL**  
(Only for new nonprovisional applications under 37 CFR 1.53(b))

Attorney Docket No. 005489.P010  
(maximum 12 characters)

First Named Inventor Wayne Sorin, et al.

Title: ACOUSTO-OPTIC TUNABLE APPARATUS HAVING A FIBER BRAGG GRATING AND AN OFFSET CORE

J1017 U.S. PTO  
10/04/05  
956

12/28/01

Express Mail Label No. EL 627 465 888 US

ADDRESS TO: Assistant Commissioner for Patents  
Box Patent Application  
Washington, D. C. 20231

**APPLICATION ELEMENTS**

See MPEP chapter 600 concerning utility patent application contents.

1.  Fee Transmittal Form (e.g., PTO/SB/17)  
(Submit an original, and a duplicate for fee processing)
2.  Applicant Claims Small Entity Status. (37 CFR 1.27)
3.  Specification (Total Pages 28)  
(preferred arrangement set forth below)
  - Descriptive Title of the Invention
  - Cross Reference to Related Applications
  - Statement Regarding Fed sponsored R & D
  - Reference sequence listing, a table,  
or a computer program listing appendix
  - Background of the Invention
  - Brief Summary of the Invention
  - Brief Description of the Drawings (if filed)
  - Detailed Description
  - Claim(s)
  - Abstract of the Disclosure
4.  Drawings(s) (35 USC 113) (Total Sheets 6)
5.  Oath or Declaration (Total Pages 5)
  - a.  Newly Executed (Original or Copy)
  - b.  Copy from a Prior Application (37 CFR 1.63(d))  
(for Continuation/Divisional with Box 18 completed)
    - i.  DELETIONS OF INVENTOR(S) Signed statement attached deleting  
inventor(s) named in the prior application, see 37 CFR 1.63(d)(2)  
and 1.33(b).
  - c.  Unsigned.
6.  Application Data Sheet. (37 CFR 1.76)
7.  CD-ROM or CD-R in duplicate, large table or Computer Program (Appendix)
8.  Nucleotide and/or Amino Acid Sequence Submission  
(if applicable, all necessary)
  - a.  Computer Readable Form (CRF)
  - b.  Specification Sequence Listing on:
    - i.  CD-ROM or CD-R (2 copies); or
    - ii.  paper
  - c.  Statement verifying identity of above copies

**ACCOMPANYING APPLICATION PARTS**

9.  **Assignment Papers (cover sheet & documents(s))**  
10.  a. Separate 37 CFR 3.73(b) Statement (where there is an assignee)  
 b. Power of Attorney  
11.  English Translation Document (if applicable)  
12.  a. Information Disclosure Statement (IDS)/PTO-1449  
 b. Copies of IDS Citations  
13.  **Preliminary Amendment**  
14.  **Return Receipt Postcard (MPEP 503) (Should be specifically itemized)**  
15.  Certified Copy of Priority Document(s) (if foreign priority is claimed)  
16.  **Request and Certification under 35 U.S.C. 122(b)(2)(B)(i). Applicant must attach form PTO/SB/35 or its equivalent.**  
17.  Other: Certificate of Express Mailing

**18A. If a CONTINUING APPLICATION, check appropriate box and supply the requisite information:**

Continuation       Divisional       Continuation-in-part (CIP)  
**Of Prior Application No.:** \_\_\_\_\_  Examiner \_\_\_\_\_ Group Art Unit \_\_\_\_\_  
(which is a  continuation/  divisional/  CIP of prior application no. \_\_\_\_\_,  
which is a  continuation/  divisional/  CIP of prior application no. \_\_\_\_\_) (List entire chain of priority)

**Applicant(s): Also include a Preliminary Amendment to amend the specification to claim priority.**  
**For CONTINUATION AND DIVISIONAL APPS only: The entire disclosure of the prior application, from which an oath or declaration is supplied under Box 5b, is considered a part of the disclosure of the accompanying continuation or divisional application and is hereby incorporated by reference. The incorporation can only be relied upon when a portion has been inadvertently omitted from the submitted application parts.**

**18B. Statement under 37 CFR 3.73(b) for continuing application:**

The undersigned states that \_\_\_\_\_ (name of assignee) is the assignee of the entire right, title, and interest in the accompanying patent application by virtue of an assignment recorded in the Patent and Trademark Office at Reel. No. \_\_\_\_\_ Frame No. \_\_\_\_\_ (or a copy of which is attached).

**19. Correspondence Address**

Customer Number or Bar Code Label \_\_\_\_\_ (Insert Customer No. or Attach Bar Code Label here)  
or

Correspondence Address Below

NAME Thomas S. Ferrill

BLAKELY, SOKOLOFF, TAYLOR & ZAFMAN LLP

ADDRESS 12400 Wilshire Boulevard

Seventh Floor

CITY Los Angeles STATE California ZIP CODE 90025-1026

Country U.S.A. TELEPHONE (408) 720-8300 FAX (408) 720-9397

Name (PRINT/TYPE): Thomas S. Ferrill Registration No.: 42,532

Signature: Thomas S. Ferrill Date: 12-28-01

**REQUEST AND CERTIFICATION UNDER 35 U.S.C. 122(b)(2)(B)(i)**First Named Inventor Wayne Sorin, et al.Title ACOUSTO-OPTIC TUNABLE APPARATUS HAVING A FIBER BRAGG GRATING AND AN OFFSET COREAttorney Docket No. 005489.P010

I hereby certify that the invention disclosed in the attached application **has not and will not be** the subject of an application filed in another country, or under a multilateral agreement, that requires publication at eighteen months after filing. I hereby request that the attached application not be published under 35 U.S.C. 122(b).

12-28-01

Date

Signature

Thomas S. Ferrill

Typed or Printed Name

42,532

Registration No.

This request must be signed in compliance with 37 CFR 1.33(b) and submitted with the application upon filing.

Applicant may rescind this nonpublication request at any time. If applicant rescinds a request that an application not be published under 35 U.S.C. 122(b), the application will be scheduled for publication at eighteen months after the earliest claimed filing date for which a benefit is claimed.

If applicant subsequently files an application directed to the invention disclosed in the attached application in another country, or under a multilateral international agreement, that requires publication of applications eighteen months after filing, the applicant **must** notify the United States Patent and Trademark Office of such filing within forty-five (45) days after the date of filing of such foreign or international application. **Failure to do so will result in abandonment of this application (35 U.S.C. 122(b)(2)(B)(iii)).**

Send to: Assistant Commissioner for Patents, Washington, D.C. 20231

100-40666-1422804

**EXPRESS MAIL CERTIFICATE OF MAILING**

\*Express Mail mailing label number: EL 627 465 888 US  
Date of Deposit: December 28, 2001

I hereby certify that I am causing this paper or fee to be deposited with the United States Postal Service "Express Mail Post Office to Addressee" service on the date indicated above and that this paper or fee has been addressed to the Assistant Commissioner for Patents, Washington, D. C. 20231

Beverly Kehoe Shea

(Typed or printed name of person mailing paper or fee)

(Signature of person mailing paper or fee)

(Date signed)

Serial/Patent No.: Not Yet Assigned Filing/Issue Date: Herewith  
Client: Novera Optics, Inc.  
Title: Acousto-Optic Tunable Apparatus Having a Fiber Bragg Grating and an Offset Core  
BSTZ File No.: 005489.P010 Atty/Secty Initials: LJV/TSF/bks  
Date Mailed: December 28, 2001 Docket Due Date: \*\*\*  
The following has been received in the U.S. Patent & Trademark Office on the date stamped hereon:  
 Amendment/Response (       pgs.)  
 Appeal Brief (       pgs.) (in triplicate)  
 Application - Utility (28 pgs., with cover and abstract)  
 Application - Rule 1.53(b) Continuation (       pgs.)  
 Application - Rule 1.53(b) Divisional (       pgs.)  
 Application - Rule 1.53(b) CIP (       pgs.)  
 Application - Rule 1.53(d) CPA Transmittal (       pgs.)  
 Application - Design (       pgs.)  
 Application - PCT (       pgs.)  
 Application - Provisional (       pgs.)  
 Assignment and Cover Sheet  
 Certificate of Mailing  
 Declaration & POA (5 pgs.) unsigned  
 Disclosure Docs & Orig & Cpy of Inventor Signed (       pgs.)  
 Drawings: 6 # of sheets includes 13 figures  
 Express Mail No: EL627465888US  Check No. 57327  
        Month(s) Extension of Time  Amt: 1,130.00  
 Information Disclosure Statement & PTO-144 (       pgs.)  Check No. \_\_\_\_\_  
 Issue Fee Transmittal  Amt: \_\_\_\_\_  
 Notice of Appeal  
 Petition for Extension of Time  
 Petition for \_\_\_\_\_  
 Postcard  
 Power of Attorney (       pgs.)  
 Preliminary Amendment (       pgs.)  
 Reply Brief (       pgs.)  
 Response to Notice of Missing Parts  
 Small Entity Declaration for Indep. Inventor/Small Business  
 Transmittal Letter, in duplicate  
 Fee Transmittal, in duplicate  
  
 Other: Request and Certification Under 35 U.S.C. 122(b)(2)(B)(i); and  
Certificate of Express Mailing showing contents of packet.

**FEE TRANSMITTAL FOR FY 2002****TOTAL AMOUNT OF PAYMENT (\$)** 1,130.00**Complete if Known:**

Application No. Not Yet Assigned  
 Filing Date Herewith  
 First Named Inventor Wayne Sorin, et al.  
 Group Art Unit Not Yet Assigned  
 Examiner Name Not Yet Assigned  
 Attorney Docket No. 005489.P010

**METHOD OF PAYMENT** (check one)

1.  The Commissioner is hereby authorized to charge indicated fees and credit any over payments to:

Deposit Account Number 02-2666  
 Deposit Account Name \_\_\_\_\_

Charge Any Additional Fee Required Under 37 CFR 1.16 and 1.17

Applicant claims small entity status. See 37 CFR 1.27

2.  Payment Enclosed:  Check  
 Money Order  
 Other

**FEE CALCULATION****1. BASIC FILING FEE**

Large Entity	Small Entity	Fee Description	Fee Paid
Fee	Fee	Fee	Fee
Code	(\$)	Code	(\$)
101	740	201	370
106	330	206	165
107	510	207	255
108	740	208	370
114	160	214	80
		Utility application filing fee	<u>740.00</u>
		Design application filing fee	_____
		Plant filing fee	_____
		Reissue filing fee	_____
		Provisional application filing fee	_____

SUBTOTAL (1) \$ 740.00

**2. EXTRA CLAIM FEES**

	Extra Claims	Fee from below	Fee Paid
Total Claims <u>37</u>	- 20** = <u>17</u>	X <u>18.00</u>	= <u>306.00</u>
Independent Claims <u>4</u>	- 3** = <u>1</u>	X <u>84.00</u>	= <u>84.00</u>
Multiple Dependent			= _____

\*\*Or number previously paid, if greater; For Reissues, see below.

**Large Entity** **Small Entity**

Fee	Fee	Fee	Fee	Fee Description
Code	(\$)	Code	(\$)	Claims in excess of 20
103	18	203	9	Independent claims in excess of 3
102	84	202	42	Multiple dependent claim, if not paid
104	280	204	140	**Reissue independent claims over original patent
109	84	209	42	**Reissue claims in excess of 20 and over original patent
110	18	210	9	

SUBTOTAL (2) \$ 390.00

**FEE CALCULATION (continued)**

**3. ADDITIONAL FEES**

<u>Large Entity</u>	<u>Small Entity</u>	<u>Fee Description</u>	<u>Fee Paid</u>
Fee Code	Fee (\$)	Fee Code (\$)	
105	130	205	65 Surcharge - late filing fee or oath
127	50	227	25 Surcharge - late provisional filing fee or cover sheet
139	130	139	130 Non-English specification
147	2,520	147	2,520 For filing a request for ex parte reexamination
099	8,800	099	8,800 Request for inter parties reexamination
112	920*	112	920* Requesting publication of SIR prior to Examiner action
113	1,840*	113	1,840* Requesting publication of SIR after Examiner action
115	110	215	55 Extension for reply within first month
116	400	216	200 Extension for reply within second month
117	920	217	460 Extension for reply within third month
118	1,440	218	720 Extension for reply within fourth month
128	1,960	228	980 Extension for reply within fifth month
119	320	219	160 Notice of Appeal
120	320	220	160 Filing a brief in support of an appeal
121	280	221	140 Request for oral hearing
138	1,510	138	1,510 Petition to institute a public use proceeding
140	110	240	55 Petition to revive – unavoidable
141	1,280	241	640 Petition to revive - unintentional
142	1,280	242	640 Utility issue fee (or reissue)
143	460	243	230 Design issue fee
144	620	244	310 Plant issue fee
122	130	122	130 Petitions to the Commissioner
123	50	123	50 Processing fee under 37 CFR 1.17(q)
126	180	126	180 Submission of Information Disclosure Stmt
581	40	581	40 Recording each patent assignment per property (times number of properties)
146	740	246	370 For filing a submission after final rejection (see 37 CFR 1.129(a))
148	110	248	55 Statutory Disclaimer
149	740	249	370 For each additional invention to be examined (see 37 CFR 1.129(b))
179	740	279	370 Request for Continued Examination (RCE)
169	900	169	900 Request for expedited examination of a design application
195	300	195	300 Publication fee for early, voluntary, or normal pub.
196	300	196	300 Publication fee for republication
194	130	194	130 Request for voluntary publication or republication
098	130	098	130 Processing fee under 37 CFR 1.17(i) (except provisionals)
091	1,280	091	1,280 Acceptance of unintentionally delayed claim for priority

Other fee (specify) \_\_\_\_\_

Other fee (specify) \_\_\_\_\_

SUBTOTAL (3) \$ 0

\*Reduced by Basic Filing Fee Paid

**SUBMITTED BY:**

Typed or Printed Name:	Thomas S. Ferrill
Signature:	<i>Thomas S. Ferrill</i>
Reg. Number:	42,532
Date:	12-28-01
Telephone Number:	(408) 720-8300